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**Admitted to practice in NY, N.D.N.Y., W.D.N.Y.,
2d & 4th Cir., U.S. Supreme Court*

June 17, 2024

U.S. Magistrate Judge Daniel J. Stewart
United States District Court
Northern District of New York
445 Broadway, Room 409
Albany, New York 12207

via CM/ECF

Re: Nadine Gazzola, et al. v. Gov. Kathleen Hochul, et al.
Case No. 1:22-cv-1134 (BKS/DJS)

To the Hon. Daniel J. Stewart:

This letter is the update from Plaintiffs' Counsel in response to Text Order 86, dated May 2, 2024. This morning, the U.S. Supreme Court denied Plaintiffs' petition for certiorari on their motion for preliminary injunctive relief.

Counsel, having consulted, thus jointly request: (1.) a 45-day period for the State to submit their Fed. R. Civ. P. 12 motion; (2.) a 45-day period for Plaintiffs to submit their response, which may include a cross-motion; (3.) an opportunity for a reply and sur-reply, which would be set once Plaintiffs submit their answer/cross-motion.

Counsel also request discovery be stayed during this motion cycle.

This letter is submitted with pre-filing review and approval as to form of Ms. Cowan.

Respectfully submitted,
Paloma A. Capanna
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c.: Aimee Cowan, Esq., NYS Office of the Attorney General (via CM/ECF)